

Criminal Application No. 4469 of 2016

Laxman Kashinath Bhangre,
Age : 40 years,
Occupation : Agriculture,
R/o. Maveshi, Rajur,
Taluka : Akole,
District : Ahmednagar. .. Applicant.

The State of Maharashtra. .. Respondent.

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Mr. S.J. Salgare, Addl. Public Prosecutor, for
the respondent.

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DATE : 19TH AUGUST 2016

The applicant / accused in Crime No. 23/2016, for offences punishable under Sections 376 and 506 of the Indian Penal Code, registered with Police Station, Akole, District Ahmednagar, by this application, is praying for releasing him on bail.

2. Heard the learned Counsel appearing for the

applicant as well as the learned Addl. Public Prosecutor appearing for the respondent.

3. The learned Addl. Public Prosecutor opposed the application by contending that papers of investigation do show that the applicant had committed rape on the informant / prosecutrix.

4. Perused the charge-sheet. It is seen from the report lodged by the prosecutrix, that she was well aware of the fact that the present applicant is a married person having his family. The informant / prosecutrix is a divorcee. She is aged about 35 years. The charge-sheet shows that the applicant as well as the informant / prosecutrix were having illicit relations for a period of four years. As per version of the prosecutrix, the applicant had allured her with a promise to marry and established sexual relation.

5. From the charge-sheet, it is seen that the informant / prosecutrix, who is an adult lady of consenting age, was knowing what she was doing. The relations between the prosecutrix and the applicant were of consensus nature.

6. In that view of the matter, after completion of investigation and filing of charge-sheet, further pre-trial detention of the applicant is not

warranted. Hence, the following order :-

(a) The application is allowed.

(b) The applicant / accused, in the above crime, be released on bail on his executing P.R. Bond in the sum of Rs. 10,000/- and one or more solvent sureties of the like amount.

(c) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.

(d) The applicant shall not tamper with the prosecution evidence in any manner and shall cooperate the learned trial Judge in expeditious disposal of the trial.

(e) The applicant shall not repeat commission of similar type of offences in future.

7. The Application stands disposed of in the aforesaid terms.

(A.M. BADAR)
JUDGE

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